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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,453	04/27/2006	Mark Vaimo	006921.00010	3428
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EXAMINER				
BATISTA, MARCOS				
ART UNIT		PAPER NUMBER		
4134				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/577,453

**Applicant(s)**

VAINIO ET AL.

**Examiner**

MARCOS BATISTA

**Art Unit**

4134

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-7, 8, 10-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-7, 8, 10-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S5108)
- Paper No(s)/Mail Date 04/27/2006
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 3, 4, 8, 10, and 11 are rejected under 35 U.S.C. 102(a) as being anticipated by Bengtsson et al. (WO 02/102035 A2).

Consider claim 1, Bengtsson discloses accessory device **(22)** for a mobile telecommunications terminal **(10)**, wherein the mobile telecommunications terminal comprises media processing circuitry adapted to provide media processing functionality in the mobile telecommunications terminal **(10)** and means for coupling to the accessory device **(22)**, the accessory device comprising: media processing circuitry adapted to provide media processing functionality in the accessory device **(see fig. 2 col. 5 lines 20-35, col. 6 lines 1-34)**. Bengtsson also discloses coupling means adapted to establish a communication link between the accessory device **(22)** and the mobile telecommunications terminal **(10)** **(see fig. 1 #18, col. 5 lines 10-19)**. Bengtsson further discloses accessory interface circuitry adapted to transfer a message to the mobile telecommunications terminal via the coupling means, said message comprising a

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specification of at least a part of the media processing functionality provided by the accessory device media processing circuitry (**see fig. 4 col. 8 lines 25-34**). Bengtsson also discloses wherein the device (**22**) is adapted to transfer a message to the mobile communications terminal (**10**) comprising a command to the mobile communications terminal to disable the specified processing functionality in the media processing circuitry in the mobile telecommunications terminal (**see fig. 4, fig. 6, col. 9 lines 4-7, col. 11 lines 3-9**).

Consider claim 3, Bengtsson discloses wherein the accessory interface circuitry is adapted to receive a request, from the mobile telecommunications terminal, for a transfer of the message before transferring the message to the mobile communications terminal (see col. 7 lines 27-32 – Icon B is sent to the mobile telephone after the mobile telephone has sent the first Unicode value to the accessory device).

Consider claim 4, Bengtsson discloses the accessory device comprising media transferring circuitry for transferring media data between the accessory device and the mobile telecommunications terminal (see fig. 2, col. 6 lines 18-34).

Consider claims 8, 10 and 11, these are method claims corresponding to apparatus claims 1, 3 and 4. Therefore, they have been analyzed and rejected based upon the apparatus claims 1, 3 and 4 respectively.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bengtsson et al. (WO 02/102035 A2), hereafter "Bengtsson," in view of Lin (US 20020102998 A1), hereafter "Lin."

Consider claim 5, Bengtsson discloses claim 1 above, but does not particular refer to wherein the media transferring circuitry is adapted to transfer audio data, video data or image data. Lin teaches a media transferring circuitry is adapted to transfer audio data, video data or image data (see fig. 1, [0024]-[0026]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Bengtsson and have it include a media transferring circuitry is adapted to transfer audio data, video data or image data, as taught by Lin. The motivation would have been in order to facilitate access to the content offered by the content server or other networking device (see [0028]).

Consider claim 12, this is method claim corresponding to apparatus claim 5. Therefore, it has been analyzed and rejected based upon the apparatus claim 5 above.

5. Claims 6, 7, 13 and 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bengtsson et al. (WO 02/102035 A2), hereafter "Bengtsson," in view of Zad Issa et al. (US 6751313 B2), hereafter "Zad."

Consider claim 6, Bengtsson discloses claim 1 above, but does not particular refer to wherein the media processing circuitry is adapted to perform an echo-canceling algorithm. Zad teaches wherein the media processing circuitry is adapted to perform an echo-canceling algorithm (see fig. 3, col. 7 lines 36-44).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Bengtsson as modified by Lin and have it include a media processing circuitry is adapted to perform an echo-canceling algorithm, as taught by Zad. The motivation would have been in order to filter noise and regulate/remove unwanted sound from the communication media (see fig. 3, col. 7 lines 36-44).

Consider claim 7, Bengtsson discloses claim 1 above, but does not particular refer to wherein the media processing circuitry is adapted to perform a frequency equalizing algorithm. Zad teaches a media processing circuitry is adapted to perform a

frequency equalizing algorithm (see fig. 4, col. 7 lines 36-44). The motivation would have been in order to filter noise and regulate/remove unwanted sound from the communication media (see fig. 4, col. 7 lines 36-44).

Consider claims 13 and 14, these are method claims corresponding to apparatus claims 6 and 7. Therefore, they have been analyzed and rejected based upon the apparatus claims 6 and 7 respectively.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Marcos Batista, whose telephone number is (571) 270-5209. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lun-Yi Lao can be reached at (571) 272-7671. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Marcos Batista*

/M. B./

03/11/2008

/LUN-YI LAO/

Supervisory Patent Examiner, Art Unit 4134